

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:

JAMES DAVID GOODSON
JUDITH ELAINE GOODSON
2906 MCLEMORE CIRCLE
FRANKLIN, TN 37064

10-03861-GP3-13
JUDGE GEORGE C PAINE

SSN XXX-XX-7999 SSN XXX-XX-2650

Date: 04/27/11

THE DEADLINE FOR FILING A TIMELY RESPONSE IS 5/20/11.

IF A RESPONSE IS TIMELY FILED THE HEARING DATE WILL BE: 6/20/11 AT 8:30 AM CUSTOMS HOUSE, COURTROOM 1, 701 BROADWAY, 2ND FL, NASHVILLE, TN , 37203.

**TRUSTEE'S NOTICE AND MOTION TO MODIFY CHAPTER 13 PLAN
TO MODIFY OR ADD CONTINUING PAYMENT**

Henry E. Hildebrand, III, Chapter 13 Trustee, has asked the court for the following relief: **TRUSTEE'S NOTICE AND MOTION TO MODIFY CHAPTER 13 PLAN TO MODIFY OR ADD CONTINUING PAYMENT. YOUR RIGHTS MAY BE AFFECTED.** If you do not want the court to grant the attached motion or if you want the court to consider your views on the motion, then on or before **5/20/11** you or your attorney must:

1. File with the court your response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE IS A MANDATORY ELECTRONIC CASE FILING COURT. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <https://ecf.tnmb.uscourts.gov>.**

If you need assistance with Electronic Case Filing you may call the Bankruptcy Court at (615)736-5584. The Bankruptcy Court may be visited in person at: US Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M.- 4:00 P.M.).

2. **Your response must state that the deadline for filing response is 5/20/11, the date of the scheduled hearing is 6/20/11 and the motion to which you are responding is the TRUSTEE'S NOTICE AND MOTION TO MODIFY CHAPTER 13 PLAN TO MODIFY OR ADD CONTINUING PAYMENT.**

3. You must serve your response or objection on the movant's attorney **by electronic service through the Electronic Case Filing system** described above. You must also mail a copy of your response or objection to:
JAMES DAVID GOODSON & JUDITH ELAINE GOODSON 2906 MCLEMORE CIRCLE, FRANKLIN, TN 37064

ATTORNEY FOR THE DEBTOR:

PERRY R HAPPELL MCCUNE ZENNER HAPPELL PLLC101 LEA AVE, , NASHVILLE, TN 37210
CHAPTER 13 TRUSTEE P O BOX 190664, NASHVILLE TN 37219-0664
UNITED STATES TRUSTEE CUSTOMS HOUSE, ROOM 318, NASHVILLE TN 37203

BAC HOME LOANS SERVICING MAIL STOP CA6-919-01-23, 400 NATIONAL WAY, SIMI VALLEY, CA 93065

BAC HOME LOANS SERVICING MAIL STOP TX2-982-03-03, 7105 CORPORATE DR, PLANO, TX 75024

PROBER AND RAPHAEL A LAW CORPORATION 20750 VENTURA BOULEVARD STE 100, WOODLAND HILLS, CA 91364

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584. If you received this notice by mail, you may have three additional days in which to file a timely response under Rule 9006(f) of the Federal Rules of Bankruptcy Procedure.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 190664
NASHVILLE, TN 37219-0664
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

JAMES DAVID GOODSON
JUDITH ELAINE GOODSON
2906 MCLEMORE CIRCLE
FRANKLIN, TN 37064

CASE NO. 10-03861-GP3-13

SSN XXX-XX-7999

SSN XXX-XX-2650

04/27/2011

TRUSTEE'S MOTION TO MODIFY CHAPTER 13 PLAN
TO MODIFY OR ADD CONTINUING PAYMENT

HENRY E. HILDEBRAND, III, Standing Trustee for Chapter 13 matters in the Middle District of Tennessee, moves this court to modify the plan previously confirmed in the above-styled case pursuant to 11 U.S.C. §1329. In support of this motion, the Trustee would state that he has received a communication from a creditor being treated as a continuing claim. Based on the claim and supporting documentation, the monthly payment must either increase or now be paid by the Trustee's office, in lieu of prior direct payment by the debtor(s).

Specifically the Trustee requests the following modification:

The continuing **mortgage** payment made to **BAC HOME LOANS SERVICING** shall increase from **\$297.79 to \$423.03** beginning with the **3/11** disbursement.

The base shall **be \$687,245**.

PLEASE TAKE NOTE: The granting of this motion could impact the below listed creditors in that the Trustee is seeking to cause the continuing payments to be brought current (payments between the commencement date noted in paragraph 2, above and the date of approval) before distribution to secured creditors.

BAC HOME LOANS SERVICING at **\$4,353.36** per month.

KEYBANK at **\$456.81** per month.

CHRYSLER FINANCIAL SERVICES AMERICAS LLC at **\$422.00** per month.

UNITED STATES TREASURY at **\$513.00** per month.

BLUEGREEN CORP at **\$168.72** per month.

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 190664
NASHVILLE, TN 37219-0664
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served on JAMES DAVID GOODSON & JUDITH ELAINE GOODSON, 2906 Mclemore Circle, Franklin, TN 37064 and PERRY R HAPPELL, MCCUNE ZENNER HAPPELL PLLC101 LEA AVE, , NASHVILLE, TN 37210; to all affected creditors and to Ms Beth R Derrick, Assistant US Trustee, 313 Customs House, 701 Broadway, Nashville Tn, 37203, on 04/28/11.

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
Chapter 13 Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE: CASE NO. 10-03861-GP3-13

JAMES DAVID GOODSON
JUDITH ELAINE GOODSON
2906 MCLEMORE CIRCLE
FRANKLIN, TN 37064

SSN XXX-XX-7999

SSN XXX-XX-2650

04/27/2011

ORDER TO MODIFY CHAPTER 13 PLAN
TO MODIFY OR ADD CONTINUING PAYMENT

It appearing to the Court that the Trustee has filed a Motion to Modify plan pursuant to Rule 9013-1 of the local rules of Bankruptcy Court for the Middle District of Tennessee and that no objections thereto have been timely filed so that the Trustees Motion should be granted as requested. It is therefore ordered that the Debtor(s) plan shall be amended as follows:

The continuing **mortgage** payment made to **BAC HOME LOANS SERVICING** shall increase from **\$297.79 to \$423.03** beginning with the **3/11** disbursement.

The base shall **be \$687,245.**

PLEASE TAKE NOTE: The granting of this motion could impact the below listed creditors in that the Trustee is seeking to cause the continuing payments to be brought current (payments between the commencement date noted in paragraph 2, above and the date of approval) before distribution to secured creditors.

Impacted creditors are:

BAC HOME LOANS SERVICING at **\$4353.36** per month.

KEYBANK at **\$456.81** per month.

CHRYSLER FINANCIAL SERVICES AMERICAS LLC at **\$422.00** per month.

UNITED STATES TREASURY at **\$513.00** per month.

BLUEGREEN CORP at **\$168.72** per month.

APPROVED FOR ENTRY:

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 190664
NASHVILLE, TN 37219-0664
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

THIS ORDER WAS SIGNED AND ENTERED
ELECTRONICALLY AS INDICATED AT THE TOP
OF THE FIRST PAGE.